



GRANT OF PLANNING PERMISSION

TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (PERMISSION IN PRINCIPLE) ORDER 2017

APPLICATION NO. 2026/0641

To JR Planning

Velocity Point
Wreakes Lane
Dronfield
Sheffield
S18 1PN

DESCRIPTION Residential development up to 9 dwellings (Permission in Principle).

LOCATION Land off Barnsley Road, Darton, Barnsley

Barnsley MBC hereby give notice that **PERMISSION IN PRINCIPLE HAS BEEN GRANTED** for the carrying out of the above development in accordance with the plans and documents submitted under application **2026/0641**.

You are advised that an application for approval of Technical Details Consent must be made not later than the expiration of three years beginning with the date of this permission.

Informative(s)

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended), the Local Planning Authority have, where possible, made a pre-application advice service available, and otherwise actively engaged with the applicant in dealing with the application in a positive and proactive manner.

- 1 The technical details consent shall be received within 3 years of the Permission in Principle decision date.
- 2 A Preliminary Ecological Appraisal (PEA) undertaken to the Chartered Institute of Ecology and Environmental Management (CIEEM) guidelines (2017) should be carried out on site. This would involve the mapping of habitats and consideration of their value, the use of the site by protected and priority species and the potential impact of the proposals upon ecological features. As part of the PEA, a data search with the Barnsley Biological Record Centre should be carried out.

The proposals site comprises a built structure and a number of trees on site. Any buildings or trees to be affected by works should be subject to a bat assessment by an appropriately qualified ecologist to the Bat Conservation Trust survey guidance (2023). If buildings/trees are assessed as having potential for bats, further specialist survey may be required to further consider the presence/absence of roosting bats and the potential impact of the proposals. If considered necessary, the results of such further surveys would be required as part of the Technical Details Consent application.

There appears to be one to two ponds within 250m of the proposals site and the governments MAGIC website also shows great crested newt records within the vicinity of the site. Assessment of the ponds and potential impact on amphibian species should be considered within ecology reports submitted as part of the Technical Details Consent application.

The development is likely to be subject to the mandatory Biodiversity Gain condition being over 0.2ha in size. Reference should be made by the applicant to government guidance (<https://www.gov.uk/guidance/biodiversity-net-gain-exempt-developments>), which lists development types exempt from Biodiversity Net Gain (BNG) to determine this. The applicant should check the list of exemptions prior to the application being made to ensure relevant BNG information is submitted, if necessary. If subject to BNG, the Technical Details Consent application should be supported by the level of information as set out within Biodiversity Appendix of the BMBC Local Validation Requirements: <https://www.barnsley.gov.uk/media/yyhmuadm/biodiversity-appendix.pdf>

The proposals site is within close proximity of a watercourse. If the development is in within 10m of the bank top of the watercourse, the BNG assessment should include a condition assessment of this habitat. If a river condition assessment is the appropriate condition assessment type then this should be carried out by a qualified RCA assessor.

Regardless of the BNG requirements, proposed plans submitted should set out biodiversity enhancements to be incorporated on site. Consideration should be given to the installation of integral bat and bird boxes on the proposed dwelling and the provision of hedgehog access points within proposed fencing, as per the Biodiversity and Geodiversity Supplementary Planning Document and section 15 of the National Planning Policy Framework.

- 3 The accesses to Plots 1 and 2 are too close to the site access junction with Barnsley Road; there should be no vehicular accesses/driveways within 20m of the junction. Minimum sight lines of 2.4m x 120m are required at the site access junction with Barnsley Road; the sight line to the left (South) appears to be achievable but it is unclear whether the sight line to the right (North) can be achieved. Swept path manoeuvres of an 11m long refuse vehicle would need to be provided in order to demonstrate that the vehicle can manoeuvre in and out of the site access (to/from both directions) and turn within the site.

The layout does not include any visitor parking; two spaces should be provided (1 space per 4 dwellings). It is noted that the red line boundary includes part of the public highway. At the north-western area of the site, it appears that the highway boundary extends around 9m beyond the rear of the footway to a point that would be approximately in the middle of the proposed access road. There is an embankment within the site which acts as a retaining structure for Barnsley Road, as such, any future detailed proposals must include plans and information regarding the proposed levels along the access road and any impact that the development may have upon the embankment. It is worth making clear that the protection of the retaining embankment is intrinsic to the proposed development being satisfactory from a highways perspective. Given the design, safety, inspection and maintenance considerations involved and the potential impact on highway users it will be required that the technical approval procedures contained within DMRB CG 300 must be adhered to for all highway structures. The approval procedure is to be followed for the construction or alteration of any highway structure, whether to be adopted or not, with The Technical Approving Authority being the Highway Authority. For information, the definition of a highway structure can fall into one of two types, either:

- Any structure or building built in, under, or over, the highway where the span dimension at any point is equal to or exceeds 1.0m. This includes amongst others, bridges, footbridges, culverts, pipes, tunnels, chambers, cellars, shafts, manholes and storm water balancing tanks etc. or
- Any structure or building built in - or within 3.66 metres of - the highway, which supports the highway, or ground above it and regardless of the retained height that if it were to fail would, in the view of the Highway Authority, endanger users of the highway. This includes amongst others, retaining walls, headwalls, embankments, basements and cellars etc.

Given the proximity of the supporting structure to Barnsley Road, and that if it were to fail would endanger users, if the applicant intends to, for example, cut into the embankment and erect a retaining wall, there will be a need for the applicant to provide design details including a cross section of the wall for consideration by the structures team before determination of the application and subsequent technical approval through the Approval in principle (AIP) procedure.

- 4 The future Technical Details Consent application will need to include a Noise Impact Assessment which sets out the existing noise climate at the development site and a scheme of noise insulation measures. The noise impact assessment shall be carried out by a suitably qualified acoustic consultant/engineer and shall take into account the provisions of BS4142 and BS8233. In addition to this, a dust management plan detailing how dust will be controlled during construction will need to be submitted.

Please be aware that the Council monitors construction sites and open land within the vicinity such sites in an attempt to prevent fly tipping (i.e. unauthorised deposit of waste on land), which is illegal under the Environmental Protection Act 1990. The penalties for fly-tipping can include:

- a fine of up to £50,000 and
- up to six months imprisonment on conviction.

Therefore, if necessary, please ensure that all demolition waste and waste associated with the construction of the approved development is disposed of via approved methods and that documents are retained to prove this.

Signed

Dated: 09/09/2026

A handwritten signature in black ink, consisting of a stylized 'G' followed by a horizontal line.

Garry Hildersley

Head of Planning, Policy and Building Control

The grant of this consent does not constitute or imply permission, approval or consent by the Local Authority for any other purpose.

NOTES:-

Appeals to the Secretary of State

If you are aggrieved by the decision of the Council to grant permission for the proposed development subject to conditions then you can appeal to the Secretary of State for the Environment, Transport and Regions under Section 78 of the Town and Country Planning Act. If you want to appeal, then you must do so within twelve weeks of the date of this notice, using a form which you can get from The Planning Inspectorate, Room 3/24 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions giving under the order. In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment, Transport and Regions refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference to the application to him. These circumstances are set out in Sections 114 and related provisions of the Town and Country Planning Act 1990.